

GOVERNMENT OF ANDHRA PRADESH

A B S R A C T

Social Welfare Department – Land Acquisition for House Sites – Kurnool District – Chapirevula Village Nandyala Mandal - Land Acquired for provision of house sites to the weaker section people – Sanction of Rs.3,00,972/- towards payment of decretal charges in O.P No.25 and 26 of 1989 – Orders - Issued.

SOCIAL WELFARE (Budget &LA) DEPARTMENT

G.O.RT.No. 593

Dated: 12.11.2014

Read the following

1. From the District Collector, Kurnool Lr.No.L.95/SWLA/1996, dt 04.01.2014
2. From the CSW, A.P., Hyderabad Lr.No.LA4/306/2014, dated 01.02.2014.
3. From the Spl. C.S&CCLA, AP, Hyderabad Lr. No.S2/130/2014, Dt.21/02/2014

O R D E R:

In the reference 3rd read above, the Special Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad has stated that land to an extent of Ac. 4.27 Cts in Sy.No.108/2 etc., situated at Chapirevula Village, Nandyal Mandal, was acquired vide Award No. 1/1986-87, dated 23.07.1987, duly fixing the market value at Rs. 21,800/- per acre Aggrieved by the market value fixed by the LAO, the awardees have filed a petition U/s. 18 of LA Act. The Sub-ordinate Judge, has disposed of the OP. No : 25/89 & 26/89 on 15.7.1986 and ordered as follows :

1. That the market value of the acquired land on the date of 4(1) notification i.e. 15.07.1986 is fixed at Rs. 38,500 per acre.
2. And the respondent Claims is entitled for the compensation of the acquired land at the said rate with Solatium at 30% AMV 12% pa from 15.07.1986 to 23.07.1987 and interest @ 9% per annum for period of one year from the date of taking possession , i.e. 30.04.1986 and thereafter at 15% per annum till the amount is paid or deposited.
3. And the reference is answered accordingly and closed.
4. And the parties are directed to bear their own costs.

2. Aggrieved by the market value enhanced by the Lower Court, the LAO has filed an appeal before the Hon'ble High Court of AP,. The claimants have also filed executive petitions for realization of the decretal amount. The Hon'ble High court have granted interim stay orders in CMP No : 15340/2001 & 15237/2001 against AS.No 2321/2000 and AS.No.2329/2000, subject to condition of deposit of 75% of the decretal amount with interest within (8) weeks from 24.08.2001 and 21.08.2001. Accordingly, an amount of Rs. 1,33,068/- was deposited in the court on 29.11.2002. The Hon'ble High Court of AP in A.S.No. 2321/2000 and 2329/2000, dt ; 29.4.2010 against LAOP. No 25 & 26 /1989 ordered as follows :

1. That the interest awarded by the reference Court from 30.04.1986 be and hereby set a side.
2. That the interest confirmed from the date of issuance of the notification 15.07.1986 at 9% pa for a period of one year, not only on the enhanced compensation but also on 30% Solatium and AMV and thereafter 15% pa.
3. The save as aforesaid, the decree as per the lower court shall stand confirmed in all other aspects.
4. That there be no order as to costs in this appeal.

Thereafter, the District Collector, Kurnool has submitted proposals for sanction of an amount of Rs.3,00,814/- towards payment of decretal charges in LA.OP No.25/89 and 26/89 for the lands acquired to an extent of Ac. 4.27 Cts in Sy. No.108/2 etc., situated at Chapirevula Village, Nandyal Mandal of Kurnool District, for providing house sites to the weaker section people.

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3. After verification and scrutiny of the proposals of the Commissioner of Social Welfare, Hyderabad/District Collector, Kurnool, the Spl Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad has sent comparative calculation sheet to the Government for sanction and release of an amount of Rs. 3,00,972/- (Rupees three lakhs, Nine hundred and Seventy Two only) towards decretal charges in LAOP No No.25/89 and 26/89 for the lands acquired to an extent of Ac. 4.27 Cts in Sy. No.108/2 etc., situated at Chapirevula Village, Nandyal Mandal of Kurnool District for providing house sites to the weaker section people.

4. Government, after careful examination of the above proposal, hereby accord permission to the Commissioner of Social Welfare, A.P., Hyderabad to release an amount of Rs. 3,00,972/- (Rupees three lakhs, Nine hundred and Seventy Two only) to the District Collector, Kurnool towards payment of decretal charges in LAOP No.25/89 and 26/89 for the lands acquired to an extent of Ac. 4.27 Cts in Sy. No.108/2 etc., situated at Chapirevula Village, Nandyal Mandal of Kurnool District for providing house sites to the weaker section people.

5. The expenditure sanctioned in para (4) above shall be met within the BE.2014-15 and shall be debited to the following Head of Account:

“2225-Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes – 01 – Welfare of Scheduled Castes – M.H.283- Housing – G.H.11-Normal State Plan – SH(08) Acquisition of House Sites to weaker sections in Indiramma Programme – 310/312 – Other Grant – in – Aid”.

6. The Commissioner of Social Welfare, A.P., Hyderabad is directed to issue necessary Proceedings to the District Collector, Kurnool, to comply with the Court orders in O.P No.25, and 26 of 1989.

7. The District Collector, Kurnool, shall verify the calculation sheet submitted by the Land Acquisition Officer once again, before issue of the Proceedings for releasing the amount. If any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

8. This order does not require the concurrence of Finance (Expr.SW) Department, as per their instructions vide U.O Note No.12869/196/A1/Expr.SW/2009 dated 22.05.2009 and U.O No. 15926/256/A1/1/Expr.SW/09, dated 17.08.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**S.S. RAWAT
SECRETARY TO GOVERNMENT**

To
The Spl Chief Secretary & Chief Commissioner of Land
Administration, A.P., Hyderabad
The Commissioner of Social Welfare, A.P., Hyderabad,
The District Collector, Kurnool,

Copy to:

The Director of Treasury & Accounts, A.P., Hyderabad,
The Accountant General, A.P., Hyderabad,
The District Treasury Officer, Kurnool.
Finance (EBS-IIISW) Department
SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER